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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LARRY TOTTEN, JOSE MORENO, in ) No. C 04-05135 JSW  
their capacities as Trustees of the LABORERS )  
HEALTH AND WELFARE TRUST FUND )  
FOR NORTHERN CALIFORNIA; LABORERS )  
VACATION-HOLIDAY TRUST FUND FOR ) **EX PARTE APPLICATION FOR**  
NORTHERN CALIFORNIA; LABORERS ) **CONTINUANCE OF CASE**  
PENSION TRUST FUND FOR NORTHERN ) **MANAGEMENT CONFERENCE;**  
CALIFORNIA; and LABORERS TRAINING ) **(PROPOSED) ORDER**  
AND RETRAINING TRUST FUND FOR )  
NORTHERN CALIFORNIA; NORTHERN )  
CALIFORNIA DISTRICT COUNCIL OF )  
LABORERS for itself and on behalf of )  
LABORERS' LOCAL 73 )

Date: May 20, 2005  
Time: 1:30 p.m.  
Ctmm: 2, 17<sup>th</sup> Floor

Plaintiffs,

v.

DELL ENGINEERING, A California  
Corporation,  
  
Defendant.

**TO: THE CLERK OF THE COURT AND DEFENDANT DELL ENGINEERING, A  
California Corporation:**

Pursuant to Civil Local Rule 7-10(b), Plaintiffs hereby request that the initial case

management conference scheduled for May 20, 2005 be continued for 60 days.

Defendant has not filed an answer or otherwise responded to the Complaint which was served on February 2, 2005, and for which proof of service was filed before this Court with the Summons on February 7, 2005.

On May 4, 2005, , Default was entered against the Defendant by the Court. Plaintiffs are in the process of filing and serving a Motion for Default Judgment and will be scheduling a hearing date with the Court for said Motion.

Dated: May 17, 2005

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

//s//

CONCEPCIÓN E. LOZANO-BATISTA  
NICOLE M. PHILLIPS  
Attorneys for Plaintiffs

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**ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

Based upon the foregoing Ex Parte Application for Continuance of Case Management Order, the Court orders a continuance of the case management conference for 60 days, or as soon thereafter as a court date is available. In addition, the Court Orders:

The Case Management Conference shall be conducted on July 29, 2005 at 1:30 p.m.

Dated: May 18, 2005

/s/ Jeffrey S. White

~~HONORABLE SUSAN ILLSTON~~  
UNITED STATES DISTRICT JUDGE